

CYRULI SHANKS

CYRULI SHANKS & ZIZMOR LLP

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April 28, 2025

Via ECF

Hon. Nusrat J. Choudhury, U.S.D.J.
United States District Court
Eastern District of New York
100 Federal Plaza, Courtroom 1040
Central Islip, NY 11722-4438

Re: Deo, *et al.* v. Baron, *et al.*, Case No.: 2: 24-cv-6903 (NJC) (JMW)

Dear Judge Choudhury:

This firm represents Baron Nissan Inc. d/b/a Baron Nissan (hereinafter “Baron Nissan”). Baron Nissan writes together with Defendants Ronald Baron (“Ronald”), Joshua Aaronson (“Aaronson”), Jory Baron (“Jory”), Marcello Sciarrino (“Sciarrino”), Daniel O’Sullivan (“O’Sullivan”, Brian Chabrier (“Chabrier”), Wendy Kwun (“Kwun”), Iris Baron (“Iris”), Raymond Phelan (“Phelan”), Asad Khan (“Khan”), Estate of David Baron (“Estate”), Island Auto Group of New York LLC (“IAG”) (Ronald, Aaronson, Jory, Sciarrino, O’Sullivan, Chabrier, Kwun, Iris, Phelan, Khan, Estate, and IAG collectively hereinafter the “IAG Defendants”) and Superb Motors Inc. (“Superb”).

On March 19, 2025 we filed a letter at the direction of the Court to respond to Defendants’ Nissan Motor Acceptance Company (“NMAC”), Ally Financial Inc. (“Ally”), and Next Gear Capital Inc.’s (“Next Gear”) letter concerning the effect of Plaintiffs’ first amended complaint (“FAC”) on this Court’s subject matter jurisdiction over this case. On March 25, 2025 this Court granted Plaintiffs’ request to file a response to our letter by April 21, 2025.

On April 21, 2025 Plaintiffs filed two letters, not responding to our March 19, 2025 letter, but seeking to stay the Court’s decision, and grant a preliminary conference to file a motion seeking a hearing on Plaintiffs’ declaratory judgment claim.

We write respectfully requesting two weeks, until May 12, 2025, to respond to Plaintiffs’ request. I am currently engaged in a matter which will require the full devotion of my time this week as is counsel for the IAG Defendants. Counsel for Superb is moving from his home. This is the first request for an extension to respond.

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We thank the Court for its consideration in this regard.

Respectfully yours,

/s/ Jeffrey C. Ruderman
Jeffrey C. Ruderman

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